

MEMORANDUM

JUNE 9, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert F. Walsh, Director

SUBJECT: Board of Appeal Referrals

Hearing: 6/21/77

Petition No. Z-3862
 198 St. Botolph Street Trust
 198 St. Botolph Street, Boston
 near Albemarle Street

Four-story structure - apartment (H-2) district.

Purpose: Legalize occupancy - nine apartments.

Violations:

RequiredProposed

Section 8-7. Any dwelling converted for more families which meets one half the requirement for open space is conditional in an H-2 district.

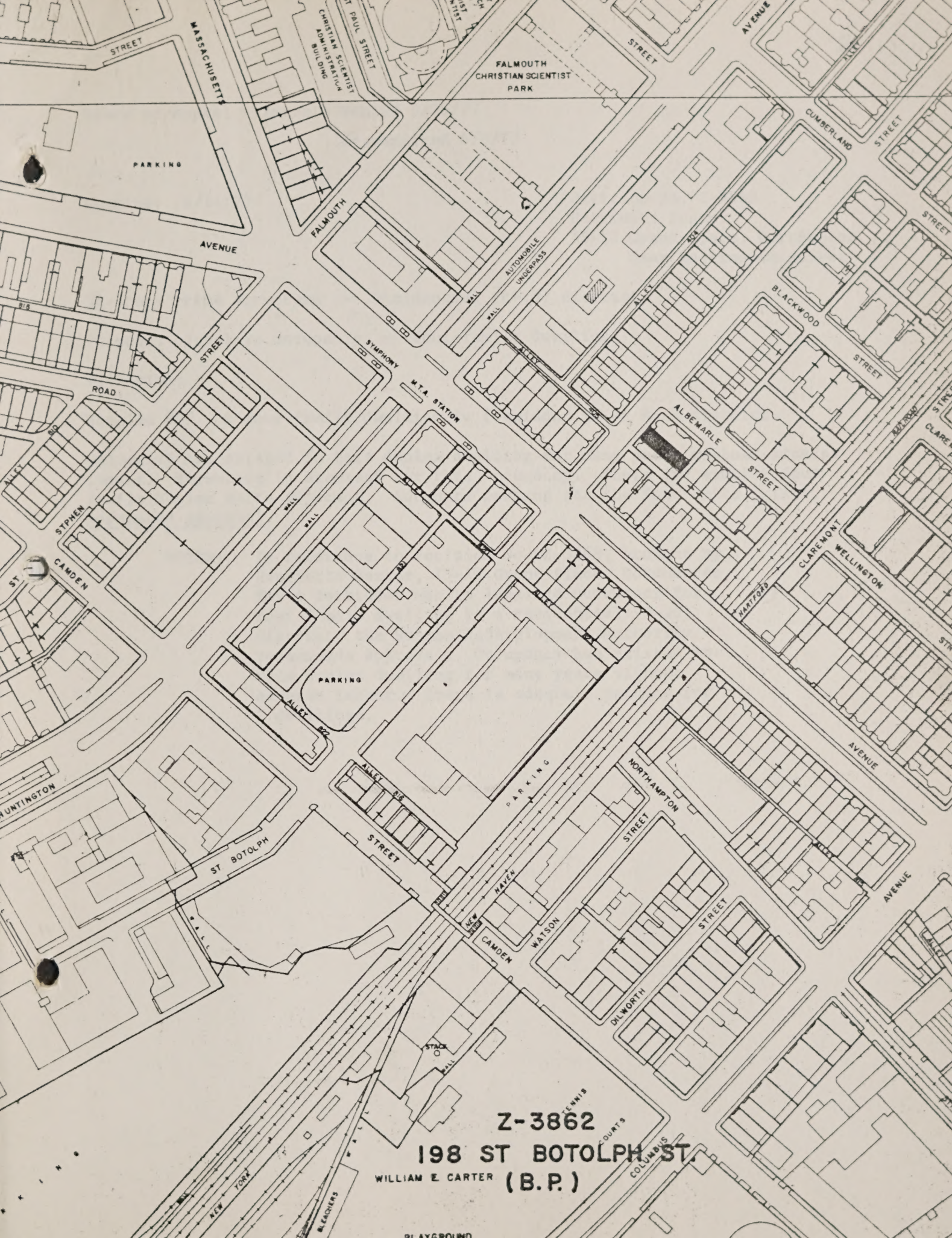
Section 17-1. Open space is insufficient

150 sf.

85 sf.

Occupancy is consistent with multiple residential character of area. Condition existed at time of purchase by Petitioner in 1972. No objection from abutters. Recommend approval.

VOTED: In reference to Petition No. Z-3862, brought by 198 St. Botolph Street Trust, 198 St. Botolph Street, Boston, for a conditional use and a variance to legalize occupancy for nine apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Occupancy is existing and consistent with multiple residential character of area.



Z-3862

198 ST BOTOLPH ST

WILLIAM E CARTER (B.P.)

Board of Appeal Referrals Tabled 5/26/77

Resubmitted 6/9/77

Hearing: 6/14/77

Petition No. Z-3868
Henrietta Baxter
15-17 Grant Place, Dorchester
near Washington Street

3½-story frame structure - Residential (R-.5) district.

Purpose: legalize occupancy - four-family dwelling.

Violation:

Section 8-7. A four-family dwelling is forbidden in an R-.5 district.

Occupancy has existed in this duplex dwelling for many years without adverse impact. Structure is assessed for this occupancy. There are similar four-family duplex units adjacent. Adequate parking for the four units exists.

Recommend approval.

VOTED: In reference to Petition No. Z-3868, brought by Henrietta Baxter, 15-17 Grant Place, Dorchester, for a forbidden use to legalize occupancy for four-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Occupancy has existed in this duplex dwelling for many years without adverse impact. There is adequate parking for 4 dwellings.



Z-3868
15-17 GRANT PLACE
(DOR.)

DORCHESTER PARK

SCHOOL
CONVENT
ST. GREGORY'S PAROCHIAL SCHOOL
ST. GREGORY'S CHURCH

ST. GREGORY'S PAROCHIAL SCHOOL
ST. GREGORY'S CHURCH

ST. GREGORY'S CHURCH
MOTHER JULIA ROAD
PARKING
AVONDALE STREET
ST. GREGORY'S CHURCH

GILBERT STUART
EL. SCHOOL

WASHINGTON STREET
PARKING
ST. GREGORY'S CHURCH OF DORCHESTER
PARKING

RICHMOND

WASHINGTON ST.

WASHINGTON STREET
PARKING
ST. GREGORY'S CHURCH OF DORCHESTER
PARKING

STREET

OLD MORTON

TEMPLE

STREET

STREET

STREET

ASANT VIEW

AVENUE

AVENUE

LLISON

BURTON

Board of Appeal Referrals 6/9/77

Hearing: 6/14/77

Petition No. Z-3869
Trustees of Penn Central Properties
Allright Boston Parking Inc. (Lessee)
125 Northern Avenue, Boston
near Atlantic Avenue

232,625 square feet of land - industrial (I-2) restricted parking subdistrict.

Purpose: use premises for parking 604 cars for a fee.

Violation:

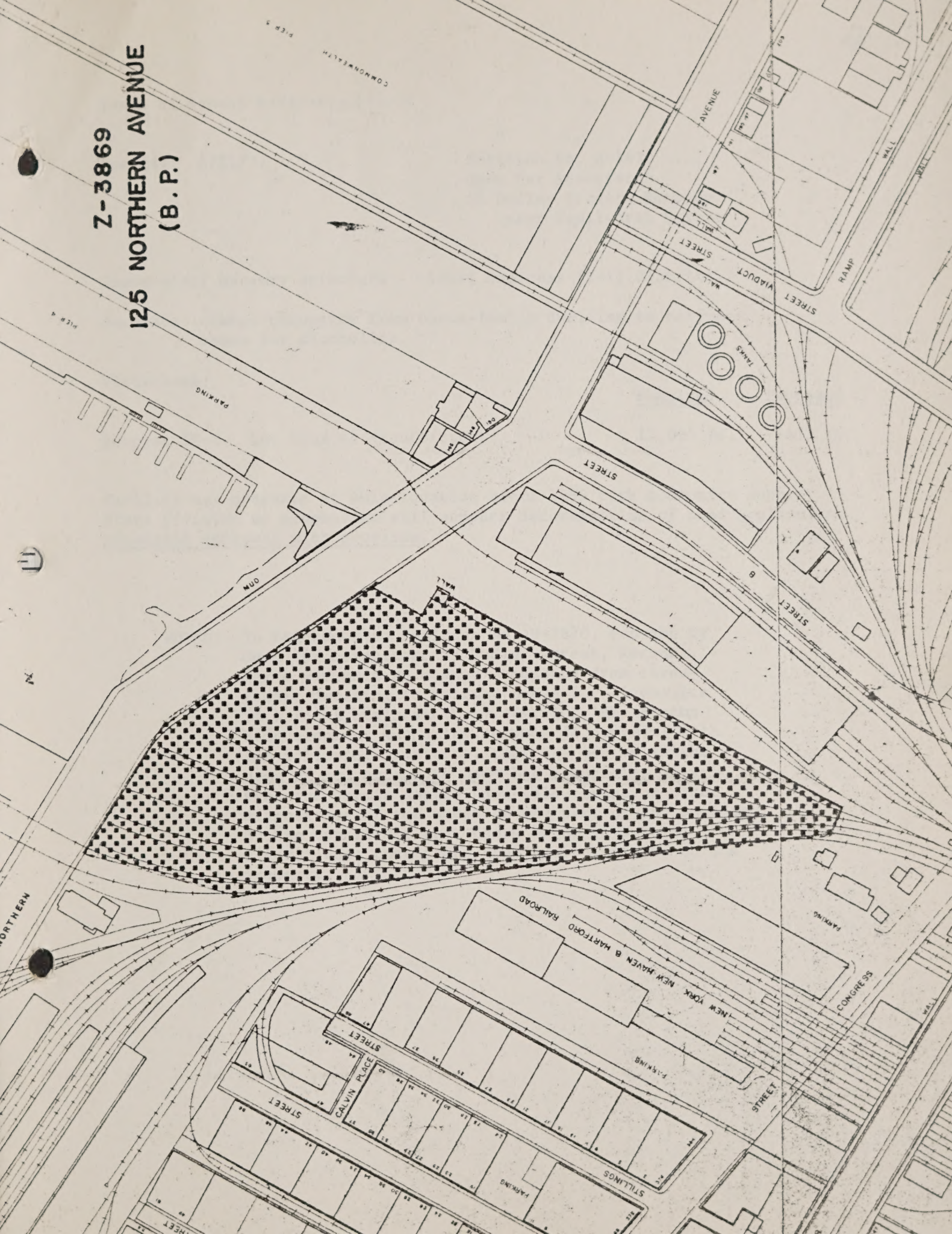
Section 8-7. A parking lot is conditional in a restricted parking district.

Facility would tend to encourage traffic to use nearby residential streets of South Boston. Community is opposed. Federal and State parking policy is not to induce commuter parking in the central area of the city. Proposal does not meet any of the conditions required for approval in a restricted parking district. Recommend denial.

VOTED: In reference to Petition No. Z-3869, brought by Trustees of Penn Central Properties, 125 Northern Avenue, Boston, to use premises for parking 604 cars for a fee in an industrial (I-2) restricted parking subdistrict, the Boston Redevelopment Authority recommends denial. Facility would tend to encourage traffic to use nearby residential streets of South Boston. Community is opposed. Federal and State parking policy is not to induce commuter parking in the central area of the city. Proposal does not meet any of the conditions required for approval in a restricted parking district.

Z-3869

125 NORTHERN AVENUE
(B.P.)



Board of Appeal Referrals 6/9/77

Hearing: 6/21/77

Petition No. Z-3870
Open Ear Associates
53 Dudley Street, Roxbury
near Kenilworth Street

Three-story masonry structure - local business (L-1) district.

Purpose: change occupancy from three-family dwelling to halfway house for alcoholics.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area is insufficient.	12,000 ft.	1439 ft.

Facility has operated at this location since 1969 with community support. State Division of Alcoholism will support determination of need application. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3870, brought by Open Ear Associates, 53 Dudley Street, Roxbury, for a variance to change occupancy from three-family dwelling to halfway house for alcoholics in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the use be in the name of and extend to Open Ear Associates only; that the permit expire upon sale, lease or other disposition of the whole or any part of the building by the appellant; that there be no structural alterations; that taxes continue to be paid on the property.

Z-3870
53 DUDLEY ST.
(ROX.)



Board of Appeal Referrals 6/9/77

Hearing: 6/21/77

Petition No. Z-3874
Antonio Lombardi
Life Center, Inc.
11-13 Brackett Street, Brighton
near Washington Street

2½-story frame structure - residential (R-.8) district.

Purpose: Change occupancy from two-family dwelling to boarding house.
(Live in center)

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A boarding house is conditional in an R-.8 district.		
Section 14-2. Lot area is insufficient.	14,000 ft.	4400 ft.

Facility is supervised by live-in house manager. Location is well served by public transportation and house policy will limit car ownership to two cars. Neighborhood reaction is mixed. However use is considered to be of social value and needed. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3874, brought by Antonio Lombardi and Life Center, Inc., 11-13 Brackett Street, Brighton, for a conditional use and a variance for a change of occupancy from two-family dwelling to Boarding House in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided: that the use extend to Life Center, Inc. only and that the permit expire upon sale, lease or other disposition of the building or any part of it by the appellant; that the permit be initially granted for a period of two years.



Z-3874
11-13 BRACKETT ST.
(BR1.)

WASHINGTON STREET
OAK SQUARE
CHAMPNEY STREET

BIGELOW STREET

FANEUIL

ADAIR ROAD

BRACKETT STREET

MONTFERN AVENUE

AVENUE

AVENUE

STREET

STREET

DUNBOY ROAD

BROOKS

DUNBOY

ST.

Board of Appeal Referrals 6/9/77

Hearing: 6/21/77

Petition No. Z-3886
Gerald I. Bern & Mitchell T. Cantor
265-275 Dartmouth & 144 Newbury Streets
Boston

Six-story structure - General Business (B-4-70) district.

Purpose: Interpretation & modification of previous Board of Appeal decision.

In December, 1973, petitioner filed appeal to erect a one-story glass and steel addition to existing structure for use as a restaurant with entertainment. The Authority recommended denial; however, the Board of Appeal granted approval with design review proviso and a building permit was subsequently issued. The addition was constructed, is now vacant and has never been occupied. On three separate occasions before the Boston Licensing Board, prospective tenants were denied license to operate the facility. Petitioner next applied for and received permits to change occupancy of addition to retail clothing store and install signs. These permits have now been revoked by the Building Department. In its letter of revocation the Department states that the Board of Appeal decision specifically limits the use of addition to a "sidewalk cafe" type restaurant and that the addition cannot be occupied for any other use without further relief from the Board of Appeal.

Petitioner contends that addition can be used under that decision for any allowed use without permission of Board of Appeal and would modify the decision by elimination of Authority design review proviso.

This proviso should be retained in any decision by the Board of Appeal to insure consistency of alterations with existing structure and surroundings. Recommend design review proviso be retained.

VOTED: That in reference to Petition No. Z-3886, brought by Gerald I Bern & Mitchell T Cantor, 265-275 Dartmouth & 144 Newbury Streets, Boston for interpretation and modification of a previous decision of the Board of Appeal, the Boston Redevelopment Authority recommends that the Design Review proviso be retained in any decision of the Board of Appeal to insure consistency of alterations with existing structure and surroundings, and to achieve a transparency which would modify the impact of this non-conforming structure.



Z-3886

265-275 DARTMOUTH ST.
144 NEWBURY ST.
(B. P.)

CLARENDON

DARTMOUTH

AVE.

AVE.

ST.

CHURCH OF THE
COOPERATIVE

ST.

FIRST BAPTIST
CHURCH

WALK

PARKING

COMMONWEALTH

HILL

BEACON

BEACON

BEACON

CITY OF BOSTON
FACILITY
PARKING NO. 4
UNIT NO. 1

STREET

ST. JAMES
JOHN HANCOCK
LIFE

TRINITY
CHURCH

TRINITY PL.

COLEY
SQUARE

STREET

NO. 110B

OLD SOUTH
CHURCH

COLEY
METHODIST
CHURCH

COMMONWEALTH
MASSACHUSETTS
DEPARTMENT OF
EDUCATION

PRINCE SCHOOL

NEWBURY